

Notice of Allowability

Application No.

10/622,252

Examiner

Dana Ross

Applicant(s)

BENGSTON ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 20 July 2005.
2. ☒ The allowed claim(s) is/are 1,4-9 and 12-22.
3. ☒ The drawings filed on 18 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Election/Restrictions

1. The requirement for restriction is withdrawn due to Applicant's amendment filed 20 July 2005.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Perrson on 1 August 2005.

The application has been amended as follows:

In the claims:

17. (Amended) A device for holding an object, said device comprising:

a base;

at least three posts affixed to and extending from said base, said posts disposed substantially equidistant from a center reference point;

at least three followers, wherein each of said followers is pivotably attached to one of said posts and comprises a gripping portion for gripping the object, wherein each of said gripping portions is a non-deforming pin attached to each of said followers;

at least three linkages dimensioned to rotationally link each of said

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followers such that each of said followers is directly connected to at least two linkages and
movement of one of follower causes all of said followers to pivot
synchronously; and

an adjustable actuator in communication with said followers, said actuator
being shaped and dimensioned to cause said followers to rotate about said posts;

wherein said followers and linkages are dimensioned and disposed such
that a movement of one follower causes each of said followers to pivot in unison about
said posts such that said gripping portions remain in substantially equidistant relation
from the center reference point regardless of a degree of rotation of said followers.

Allowable Subject Matter

3. Claims 1, 4-9, 12-22 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art neither anticipates nor renders obvious a device for holding an object as claimed, specifically wherein the combination of limitations include the actuator comprises a nut rotationally attached to one of the linkages and a threaded fastener disposed in communication with the nut (claims 1 and 9); or at least three linkages dimensioned to rotationally link each of the followers such that each of the followers is directly connected to at least two linkages and movement of one of the followers causes all of the followers to pivot synchronously (claim 17).

The closest prior art US Pat. No. 4,828,297 (Link et al.) as is discussed in detail in the previous office action.

Regarding claims 1 and 9, the incorporation of allowable subject matter into the independent claims is as discussed in the previous office action.

Regarding claim 17, '297 does not disclose the at least three linkages dimensioned to rotationally link each of the followers such that each of the followers is directly connected to at least two linkages and movement of one of the followers causes all of the followers to pivot synchronously.

Therefore '297 does not anticipate the claimed inventions.

Furthermore, there is no prior art, either alone or in combination with '297 that would render obvious the claimed inventions, and no motivation found to modify '297 to obtain the claimed inventions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

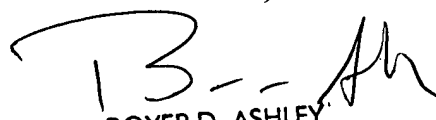
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 571-272-4480. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


dmr


BOYER D. ASHLEY
PRIMARY EXAMINER